

**BEFORE THE DEPARTMENT OF BANKING AND FINANCE
STATE OF GEORGIA**

FILED

W. J. BRADLEY MORTGAGE CAPITAL
CORPORATION fka MORGAN FINANCIAL,
INC.

Petitioner

vs.

GEORGIA DEPARTMENT OF
BANKING AND FINANCE

Respondent

AUG 07 2009

GEORGIA DEPARTMENT OF
BANKING AND FINANCE

DOCKET NO. DBF-MBL-09-015

CONSENT ORDER

On June 22, 2009, the Georgia Department of Banking and Finance ("Department") issued a proposed Notice of Intent to Revoke Annual License to W. J. Bradley Mortgage Capital Corporation ("W. J. Bradley Mortgage"), mortgage lender license number 20233, for violations of the Georgia Residential Mortgage Act, O.C.G.A. § 7-1-1000 *et seq.* ("GRMA"), including employing a felon in violation of O.C.G.A. § 7-1-1004(d) and transacting business in violation of O.C.G.A. § 7-1-1002 (a), (b) and (c).

The parties have reached a settlement of the issues raised by the proposed Notice of Intent to Revoke Annual License.

Accordingly, it is hereby ORDERED as follows:

1. W. J. Bradley Mortgage will fully comply with the terms of this Consent Order, the Georgia Fair Lending Act, O.C.G.A. § 7-6A-1 *et seq.*, and GRMA, as well as the Department's Rules enacted pursuant thereto. Failure to do so may result in additional administrative action being brought against W. J. Bradley Mortgage and any of its employees or agents.

2. W. J. Bradley Mortgage shall develop, implement and document policies, procedures, and best practices that will ensure compliance with all applicable Georgia Laws and Regulations. W. J. Bradley Mortgage shall adopt best practices, including but not limited to the following:

- a. W. J. Bradley Mortgage shall perform background checks for all new employees before or within 10 days of their initial hire. All background checks of employees that handle Georgia residential loan transactions shall be processed by the Georgia Crime Information Center. No individual shall be employed by W. J. Bradley Mortgage if he or she is a first offender under sentence for the commission of a felony; entered a plea of nolo contendere to a felony charge; has been adjudicated without guilt for the commission of a felony; or, has entered a plea to or has been convicted of a felony for which an official certification or pardon has not been obtained that removes the legal disabilities resulting from such conviction and restores civil and political rights. W. J. Bradley Mortgage will perform background checks annually on its existing employees. Results of background checks shall be maintained in employees' personnel files and made available to the Department upon request.
- b. W. J. Bradley Mortgage shall adopt best practices for Quality Control and Fraud Prevention and Detection. For purposes of this Consent Order, "Quality Control" shall mean a system for ensuring the maintenance of proper loan origination and processing standards, especially by periodic, random inspection. Chief Executive Officer, William Jack Bradley, or his approved designee, shall perform a monthly quality control review of a minimum of 10% of the GRMA loans originated or closed within the month.
- c. W. J. Bradley Mortgage shall maintain a complete and current journal of Georgia residential mortgage loan transactions that shall comply with Department Rule 80-11-2-.03 and include, at a minimum, the following information:
 - i. full names of proposed borrowers and co-borrowers and the last four digits of their social security number(s);
 - ii. application dates;

- iii. names of loan officers responsible for loan applications whose names also appear on the applications; and,
- iv. dispositions of the applications and the disposition dates.

Failure to make an entry of any or all of this information to the mortgage loan transaction journal within seven (7) business days from the date of the occurrence of the event required to be recorded shall be deemed a failure to keep the journal current and a violation of this Consent Order.

3. Within 30 days of the effective date of this Consent Order, W. J. Bradley Mortgage shall provide to the Department a copy of documentation evidencing the internal policies, procedures and best practices identified in Paragraph 2 and W. J. Bradley's Response to Report of Examination.

4. All written reports and notifications required by this Consent Order shall be mailed to:

Georgia Department of Banking and Finance
Attention: Director of Mortgage Supervision
2990 Brandywine Road, Suite 200
Atlanta, Georgia 30341

5. The Department shall withdraw the proposed Notice of Intent to Revoke issued to W. J. Bradley Mortgage after entry of this Consent Order.

6. W. J. Bradley Mortgage shall pay fines in the amount of \$9,000.00 to the Department in satisfaction of any monetary claims that have been assessed by the Department as a result of the examination of W. J. Bradley Mortgage. The fines shall be paid in certified funds and shall be remitted contemporaneously with the entry of this Order.

7. W. J. Bradley Mortgage shall contribute \$1,000 to the State Regulatory Registry, LLC, a wholly-owned subsidiary of the Conference of State Bank Supervisors ("CSBS") to support the Nationwide Mortgage Licensing System, jointly sponsored by CSBS and the American Association of Residential Mortgage Regulators. This contribution shall be paid in certified funds, be made payable to the State Regulatory Registry, LLC, and shall be remitted contemporaneously with the entry of this Consent Order.

8. The terms of this Order may be enforced by the Department pursuant to O.C.G.A. §§ 7-1-1017(g).

9. The Consent Order shall be regarded as a public document that the Department may publish in the same manner as a final order of this agency.

SO ORDERED AND ENTERED, this 7th day of August, 2009.

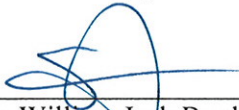


ROBERT M. BRASWELL

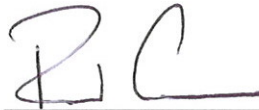
Commissioner

Georgia Department of Banking and Finance

Consented to by:

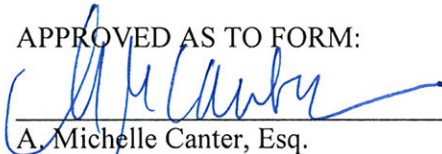


Mr. William Jack Bradley, CEO
W.J. Bradley Mortgage Capital Corp.
201 Columbine Street
Denver, Colorado 80206



Rod Carnes, Deputy Commissioner
Department of Banking and Finance
2990 Brandywine Road, Suite 200
Atlanta, Georgia 30341

APPROVED AS TO FORM:



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